

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

**18234**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

**10/509271**INTERNATIONAL APPLICATION NO.  
**PCT/BE03/00055**INTERNATIONAL FILING DATE  
**26 March 2003 (26.03.2003)**PRIORITY DATE CLAIMED  
**26 March 2002 (26.03.2002)**

TITLE OF INVENTION

**LOW-TRANS FATS FOR CONFECTIONERY AND BAKERY FAT COMPOSITIONS**

APPLICANT(S) FOR DO/EO/US

**Bernard Cleenewerck, Karen Saey, Marij Van Dyck**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV213897689US**
23. ☒ Other items or information:

Courtesy copy of international application  
Assignee: FUJI OIL EUROPE of Gent, Belgium

**BEST AVAILABLE COPY**

U.S. APPLICATION NO. (IF KNOWN, SEE <b>107509271</b> )		INTERNATIONAL APPLICATION NO. <b>PCT/BE03/00055</b>		ATTORNEY'S DOCKET NUMBER <b>18234</b>	
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24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1080.00**

☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$920.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$770.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$730.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				<b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	56 - 20 =	36	x \$18.00	<b>\$648.00</b>	
Independent claims	1 - 3 =	0	x \$86.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,698.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$849.00</b>	
<b>SUBTOTAL =</b>				<b>\$849.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$849.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$849.00</b>	
				Amount to be: refunded \$	
				charged \$	

a. ☒ A check in the amount of **\$849.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-1013/SSMP**

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Leopold Presser**  
 Reg. No. 19,827  
**SCULLY, SCOTT, MURPHY & PRESSER**  
 400 Garden City Plaza, Ste. 300  
 Garden City, NY 11530  
 (516) 742-4343  
 EWG/LP:jam

SIGNATURE \_\_\_\_\_

**Leopold Presser**

NAME \_\_\_\_\_

**19,827**

REGISTRATION NUMBER \_\_\_\_\_

**September 27, 2004**

DATE \_\_\_\_\_

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10/509271

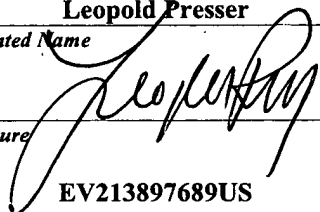
**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Bernard Cleenewerck, et al.**Docket No.  
DT04 Rec'd PCT/PTO 27 SEP 2004  
18234Application No.  
UnassignedFiling Date  
HerewithExaminer  
UnassignedCustomer No.  
23389Group Art Unit  
UnassignedInvention: **LOW-TRANS FATS FOR CONFECTIONERY AND BAKERY FAT COMPOSITIONS**

I hereby certify that the following correspondence:

New U.S. Application Under 35 U.S.C. 371

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 27, 2004*(Date)*Leopold Presser*(Typed or Printed Name)*  
*(Signature)*EV213897689US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:**

1. Transmittal Letter to US DO/EO/US Concerning Filing Under 35 USC 371 (PCT Form PTO-1390) in duplicate
2. Copy of International Appln. (Spec, Claims, 43 pgs)
3. Copy of International Search Report; Copy Int'l Prelim. Exam. Report
4. Preliminary Amendment
5. Information Disclosure Statement; PTO-1449; 4 refs.
6. Check in the amount of \$849.00 filing fee
7. Express Certificate of Mailing #EY213897689US

Applicants: Bernard Cleenewerck, et al.

For: LOW-TRANS FATS FOR CONFECTIONERY...

Docket:

~~18224~~ 18234 C *DS*

Dated:

September 27, 2004

EWG/LP:jam

DT03 Rec'd PCT/PTO 27 SEP 2004

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